



MEETING OF FEBRUARY 7, 2008

AGENDA ITEM NO. 6A

Application I.D.: 2007-0073

Application Type: Conditional Use Permit to amend a Detailed Development Plan (DDP) and Design Review

Location: 550 Island Parkway

Applicant: Belmont Redwood Shores Youth Softball Association (BRSYSA)
Mark Hunter, Project Manager

Owner: City of Belmont

APN: 040-360-390

Zoning: PD (Planned Development)

General Plan Designation: EB – East Belmont (North of Ralston Avenue and east of US 101)

Environmental
Determination: Categorically Exempt, Section 15303, Class 3(e)

PROJECT DESCRIPTION

The applicant requests Conditional Use Permit and associated Detailed Development Plan (DDP) Amendment & Design Review approval to construct an approximately 840 square foot batting cage for the Belmont-Redwood Shores Youth Softball Association (BRSYSA) at the Belmont Sports Complex. The BRSYSA currently has 21 teams with approximately 220 players, and construction of the batting cage will assist in the operation of the league. The batting cage would be located adjacent to the bleachers & dugout area of the southwest field within the sports complex. The proposal includes no removal of trees (protected or non-protected), and no grading or landscaping.

RECOMMENDATION

Staff recommends the Planning Commission **approve** the Conditional Use Permit with associated Detailed Development Plan (DDP) Amendment & Design Review for the project subject to the conditions of approval contained on the attached resolution.¹

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

STAFF REPORT
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500-ft. radius map

GENERAL PLAN & ZONING CODE DESIGNATION

The site is designated East Belmont (EB) on the General Plan land use map; the batting cage installation project and associated uses are compatible with this designation. The site is zoned Planned Development (PD); the existing and proposed uses (baseball field & ancillary activities/structures) for the site are consistent with the approved Planned Development for the Sports Complex.

PRIOR ACTIONS

The subject property has been subject to the following processes and approvals:

- The Belmont Sports Complex is established in 1989.
- December 1996 - Conditional Use Permit approved allowing a Sprint PCS wireless communication facility on the site. The Sprint PCS wireless communications facility included a six antennae configuration mounted on a 50-foot pole near the Recreation Building.
- November 1997 - Conditional Use Permit approved allowing a Cellular One wireless communications facility that included four directional panel antennas mounted at 30 feet on an 80-foot light pole. This approval included a cabinet to be located on the ground behind a backstop at the southwest corner of the northern field.
- October 2000 - Conditional Use Permit and Design Review approved allowing Cellular One to replace the four existing antennae with two larger antennae. With this approval, Cellular One installed a new 266 square foot equipment cabinet. A green wood fence screened the ground equipment and the applicant and perimeter landscaping is installed. In 2001, AT&T wireless purchased and assumed the operations of Cellular One.
- June 2001 - Conditional Use Permit approved allowing construction of a 231 square foot storage shed for the Belmont-Redwood Shores Little League.
- March 2003 - Conditional Use Permit and Design Review approved allowing AT&T wireless to replace existing pole mounted antennae with smaller antennae and install a 135 square foot equipment shelter that included one equipment cabinet. The new shelter was joined with the existing shelter approved in October 2000 and the fence was extended and painted green to match existing. The pad was large enough to accommodate future equipment installations.
- September 2004 - Conditional Use Permit and Design Review approved to add two equipment cabinets to the existing AT&T Wireless equipment pad and replace two pole-mounted antennae.

- October 2006 – Parks & Recreation Commission reviews and approves current batting cage request – see attached October 4, 2006 minutes. Current application submitted to the Community Development Department on November 29, 2007.

SITE CONDITIONS

The project site is located on the east side of U.S. Highway 101. O'Neil Slough runs along the south and west side of the site. To the north the slough runs into a wetland area. Across Island Parkway to the east is a division of Oracle; Summerfield Suites and a vacant commercial office building (600 Clipper Drive) are also located east of the complex.

The site contains three baseball/softball fields, a large grass area adjacent to the northernmost field, light poles, several backstops, seating areas, a recreation building, and parking (See Attachment – Aerial Photo of Sports Complex). The site is landscaped along the slough with shrubs, iceplant, and small trees. The lot is relatively level aside from the areas around the slough. The site averages 15 feet above sea level and is located in a 100-year flood plain.

PROCEDURE FOR PROJECT REVIEW

Amending a PD (Planned Unit Development) District

The project is a request to amend the Detailed Development Plan of the existing PD District and is subject to the review provisions of Section 12 of the Belmont Zoning Ordinance. Unlike other zoning districts, PD's are established through a two-step review process:

1. Conceptual Development Plan (CDP)

The CDP sets the general standards for the development of the site. These standards include proposed land uses; density; building locations; floor area ratios; height; proposed circulation and parking; open space and landscaping. The CDP also provides guidance for the preparation of the DDP (Note that the existing CDP is unaffected by the current proposal).

2. Detailed Development Plan (DDP)

The DDP describes the plan in more detail, including all architectural, color, material, and landscape details. The DDP must be consistent with the CDP. The DDP and any subsequent amendments to the DDP are established via a Conditional Use Permit and Design Review (if applicable).

Project Analysis

As discussed earlier, the scope of the project includes construction of an approximately 840 square foot (60 ft. length X 14 ft. width) batting cage directly behind the south dugout/bleacher area of the southwest baseball/softball field. The batting cage will consist of approximately nine L-Shaped metal support poles that would support the mesh netting for the cage – see project plans. The metal support poles would be anchored into the ground and connect to an adjacent 10-foot high split-face concrete wall; the total height of the batting cage would be approximately

12 feet. The batting cage would have either one or two door openings that could be secured with a lock. The cage would include a mechanical pitching machine and various artificial turf cut-out areas to serve the “batters box” area. The siting of the batting cage would maintain an approximate 4-foot pass-thru area between an existing light pole, and the adjacent dugout/bleacher area – see project plans.

As discussed earlier, the proposal includes no removal of trees (protected or non-protected), and no grading or landscaping. No new parking is proposed or required for the project, as the existing/proposed uses for the site will remain the same for the installed batting cage.

NEIGHBORHOOD OUTREACH STRATEGY

The applicant performed neighborhood outreach via a reported mail-out (December 2007) of letters to property owners within a 300-foot radius of the site to solicit feedback on the proposal (see attached sample letter). The applicant reports that no comments were received. Staff has not received any public comments regarding this project as of the writing of this report. The applicant appears to have achieved the outreach strategy tasks.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposal is categorically exempt from the provisions of the California Environmental Quality Act as it qualifies under Section 15303, Class 3(e):

“Construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures... accessory structures...”

The proposed batting cage structure complies with this designation and is exempt per CEQA.

CONDITIONAL USE PERMIT

As per Section 12.9 (Planned Developments) of the Belmont Zoning Ordinance, modifications to a Detailed Development Plan (DDP) require approval of a Conditional Use Permit. In order to grant the Conditional Use Permit to amend the DDP for the proposed batting cage installation, the Commission must make the following findings pursuant to Section 11.5.1:

- a. The location of the proposed use is compatible to other land uses in the general neighborhood and does not place an undue burden on existing transportation, utilities and services in the vicinity.*

The proposed batting cage is necessary to improve operations of the Belmont-Redwood Shores Youth Softball League by creating a permanent and secure hitting/instruction area to assist in the skill development of players. Construction of the batting cage will not place an undue burden on existing transportation, utilities and service facilities in the vicinity. This finding can be made in the affirmative.

- b. The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls, fences, parking and loading facilities, landscaping and such other provisions as required by the Zoning Ordinance.*

The project as proposed is well designed and consistent with the Belmont General Plan & Zoning Ordinance, and the approved Conceptual Development Plan for the site. On-site parking, and open space will not be affected as a result of construction of the proposed batting cage. The subject site provides sufficient area to accommodate the proposed use. This finding can be made in the affirmative.

- c. The site will be served by streets of capacity sufficient to carry the traffic generated by the proposed use.*

As existing uses of the Sports Complex will not change, the proposed batting cage installation would not result in any significant traffic impacts, or contribute to significant cumulative traffic impacts in the area. The Sports Complex is served by a public street (Island Parkway) that is of capacity to carry the traffic generated by the existing/proposed use. This finding can be made in the affirmative.

- d. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

The proposed batting cage installation would not adversely impact surrounding properties, as the uses are compatible and consistent with the adopted development regulations of the site. The layout/design of the batting cage site plan/profile will not impair views and will be harmonious with the surrounding development. This finding can be made in the affirmative.

The following two additional findings (BZO Section 12.4) are required in order to amend a DDP as part of the Conditional Use Permit.

- 1. Such use or uses substantially conform to the adopted General Plan of the City of Belmont.*

The existing and proposed uses for the site are identical and in conformance with the approved Conceptual Development Plan adopted for the site in 1989; the batting cage project/use is are compatible with the East Belmont (EB) General Plan Designation for the property. The proposed project does use does not change the land use of the site. This finding can be made in the affirmative.

- 2. Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.*

The existing uses (athletic fields) are clearly indicated as part of the approved Conceptual Development Plan (CDP) & Planned Development Plan for the site. This finding can be made in the affirmative.

DESIGN REVIEW

The proposed batting cage installation project is required to meet the Design Review Principles in Section 13.5.3 of the City of Belmont Zoning Ordinance. The following is an analysis of those standards.

- a) *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed modifications for the southwest baseball/softball field (via the batting cage installation) include no new buildings for the site; existing storage sheds, bleachers, dugouts and fencing would be unchanged. Overall, the site layout/modifications to accommodate the proposed batting cage provide appropriate scale, proportion, and use of materials that are compatible with the existing character of the site.

- b) *Review of proposed exterior color and material application with relationship to adjacent architectural or natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The project does not include the use of extreme color. No new buildings are proposed for the site. The proposed batting cage structure is generally consistent with the character/use (athletic field and ancillary structures) for the sports complex.

- c) *Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

No new walls, fences, or landscaping is proposed in conjunction with the project.

- d) *Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

No new signage is proposed in accordance with the batting cage structure. Existing directional signage for the sports complex will continue to identify the entry to the site.

- e) *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The proposed site plan maintains the baseball/softball field in essentially the same configuration. All open space and parking areas, and pedestrian accessways remain essentially the same. Staff believes the proposed batting cage installation is in character with the Sports Complex site, and surrounding improvements and uses.

- f) *Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

The proposed circulation system for pedestrians will remain safe and efficient. Reasonable accommodation is made for a proposed pedestrian “pass-thru” between the batting cage and the adjacent bleachers/dugout area. No changes are proposed for existing vehicular drives, entrances/exits, and on-site circulation systems for the Sports Complex.

- g) *Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

No new landscaping is proposed for the project. No trees (protected or non-protected) are to be removed to accommodate installation of the proposed batting cage.

Staff has considered the applicant’s request for Design Review and finds it generally consistent with the Design Review Ordinance Principles (Section 13.5.3) of the Zoning Ordinance. Staff reviewed the existing/proposed site layout and installation materials for the batting cage (metal poles & mesh netting) and believes the proposal conforms to all required standards and is generally compatible with neighboring properties.

CONCLUSION AND RECOMMENDATION

Based on the foregoing analysis, staff recommends approval of the Conditional Use Permit with associated Detailed Development Plan Amendment, and Design Review for the BRSYSA batting cage project with the conditions of approval as specified in Attachment III.

ACTION ALTERNATIVES

1. Continue the project and direct staff to work with the applicant to redesign the proposed batting cage improvements.
2. Deny the Conditional Use Permit with associated Detailed Development Plan Amendment and Design Review applications. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

PUBLIC CONTACT

1. This public hearing was legally noticed.

ATTACHMENTS

- I. 500 Foot Radius Map (See Page 2 of Report)
- II. Resolution approving the Conditional Use Permit with associated Detailed Development Plan Amendment & Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Parks & Recreation Commission Minutes (Excerpt) – October 4, 2006
- VI. Aerial Photo and Project Plans (Commission only)

Respectfully submitted,

Carlos de Melo
Community Development Director

CC: Applicant

PLEASE NOTE: Attachments IV and VI are not included as part of this document. Please contact the Community Development Department at (650) 595-7417 for more information on viewing these attachments.

RESOLUTION NO. 2008-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A CONDITIONAL USE PERMIT TO AMEND A DETAILED
DEVELOPMENT PLAN (DDP) AND DESIGN REVIEW FOR 550 ISLAND PARKWAY
(APPL. NO. 2007-0073)

WHEREAS, Mark Hunter, on behalf of the Belmont Redwood Shores Youth Softball League (BRSYSA), requests approval of a Conditional Use Permit to amend the Detailed Development Plan and Design Review to permit installation of a batting cage for the southwest field for the Belmont Sports Complex located at 550 Island Parkway; and,

WHEREAS, the site is located in a PD (Planned Development) Zoning District and the project requires an amendment to an approved Detailed Development Plan, which, according to Sections 12.4 and 12.9 of the Zoning Ordinance, requires Conditional Use Permit approval; and,

WHEREAS, a public hearing was duly noticed, held, and closed on February 7, 2008; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15303, Class 3 (e); and,

WHEREAS, the Planning Commission hereby adopts the staff report dated February 7, 2008 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission now makes the required findings for approval of a Conditional Use Permit in a Planned Development District, pursuant to Zoning Ordinance Section 12.4, in the affirmative as follows:

1. Such use or uses substantially conform to the adopted General Plan of the City of Belmont.

The existing and proposed uses for the site are identical and in conformance with the approved Conceptual Development Plan adopted for the site in 1989; the batting cage project/use is are compatible with the East Belmont (EB) General Plan Designation for the property. The proposed project does use does not change the land use of the site. This finding is affirmed.

2. Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.

The existing uses (athletic fields) are clearly indicated as part of the approved Conceptual Development Plan (CDP) & Planned Development Plan for the site. This finding is affirmed.

WHEREAS, the Planning Commission now makes the required Conditional use Permit Findings from Zoning Ordinance Section 11.5.1, in the affirmative as follows:

- a. *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place an undue burden on existing transportation, utilities and services in the vicinity.*

The proposed batting cage is necessary to improve operations of the Belmont-Redwood Shores Youth Softball League by creating a permanent and secure hitting/instruction area to assist in the skill development of players. Construction of the batting cage will not place an undue burden on existing transportation, utilities and service facilities in the vicinity. This finding is affirmed.

- b. *The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls, fences, parking and loading facilities, landscaping and such other provisions as required by the Zoning Ordinance.*

The project as proposed is well designed and consistent with the Belmont General Plan & Zoning Ordinance, and the approved Conceptual Development Plan for the site. On-site parking, and open space will not be affected as a result of construction of the proposed batting cage. The subject site provides sufficient area to accommodate the proposed use. This finding is affirmed.

- c. *The site will be served by streets of capacity sufficient to carry the traffic generated by the proposed use.*

As existing uses of the Sports Complex will not change, the proposed batting cage installation would not result in any significant traffic impacts, or contribute to significant cumulative traffic impacts in the area. The Sports Complex is served by a public street (Island Parkway) that is of capacity to carry the traffic generated by the existing/proposed use. This finding is affirmed.

- d. *The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

The proposed batting cage installation would not adversely impact surrounding properties, as the uses are compatible and consistent with the adopted development regulations of the site. The layout/design of the batting cage site plan/profile will not impair views and will be harmonious with the surrounding development. This finding is affirmed.

WHEREAS, the Planning Commission has considered the applicant's request for Design Review pursuant to the Design Review Ordinance Principles of Section 13.5.3 of the Belmont Zoning Ordinance as follows:

- a) *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed modifications for the southwest baseball/softball field (via the batting cage installation) include no new buildings for the site; existing storage sheds, bleachers, dugouts and fencing would be unchanged. Overall, the site layout/modifications to accommodate the proposed batting cage provide appropriate scale, proportion, and use of materials that are compatible with the existing character of the site.

- b) *Review of proposed exterior color and material application with relationship to adjacent architectural of natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The project does not include the use of extreme color. No new buildings are proposed for the site. The proposed batting cage structure is generally consistent with the character/use (athletic field and ancillary structures) for the sports complex.

- c) *Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

No new walls, fences, or landscaping is proposed in conjunction with the project.

- d) *Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

No new signage is proposed in accordance with the batting cage structure. Existing directional signage for the sports complex will continue to identify the entry to the site.

- h) *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The proposed site plan maintains the baseball/softball field in essentially the same configuration. All open space and parking areas, and pedestrian accessways remain essentially the same. The Planning Commission believes the proposed batting cage installation is in character with the Sports Complex site, and surrounding improvements and uses.

- i) *Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

The proposed circulation system for pedestrians will remain safe and efficient. Reasonable accommodation is made for a proposed pedestrian "pass-thru" between the batting cage and the adjacent bleachers/dugout area. No changes are proposed for existing vehicular drives, entrances/exits, and on-site circulation systems for the Sports Complex.

- j) *Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

No new landscaping is proposed for the project. No trees (protected or non-protected) are to be removed to accommodate installation of the proposed batting cage.

STAFF REPORT
RE: 550 Island Parkway
February 7, 2008

The Planning Commission has considered the applicant's request for Design Review and finds it generally consistent with the Design Review Ordinance Principles (Section 13.5.3) of the Zoning Ordinance. The Planning Commission reviewed the existing/proposed site layout and installation materials for the batting cage (metal poles & mesh netting) and believes the proposal conforms to all required standards and is generally compatible with neighboring properties.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Conditional Use Permit to amend the Detailed Development Plan and Design Review to permit installation of a batting cage for the southwest field for the Belmont Sports Complex located at 550 Island Parkway, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on February 7, 2008 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL CONDITIONAL USE PERMIT & DESIGN REVIEW 550 ISLAND PARKWAY (APPL. NO.2007-0073)

- I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:
 - A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Plans submitted for building permit and all construction shall conform to the plans on file in the Planning Division for Appl. No. 2007-0073, date stamped November 29, 2007. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.
3. Prior to issuance of building permits, the property owners shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that they have read, understand and agree to these conditions of approval.
4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owners and all assignees will be responsible for defending against this challenge, and agree to accept responsibility for defense at the request of the City. The property owners and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.

Conditions of Approval – PA2007-0073

550 Island Parkway

February 7, 2008

Building Division

6. Prior to any construction, the applicant or a designated representative shall obtain all building permits for the project (if required).

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.

Certification of Approved Final Conditions:

Carlos de Melo

Community Development Director

Date